

**IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

The Kroger Co.,)	Case No. 3:07 CV 01619
)	
Plaintiff,)	Judge Katz
)	
-vs-)	
)	STATUS REPORT
Louisville Title Agency for N.W. Ohio, Inc.,)	
et al.,)	
)	
Defendants.)	

* * *

Pursuant to the Court's Case Management Order of September 12, 2007, Defendants herein, Louisville Title Agency for N.W. Ohio, Inc., Gloria Levin, Alan Schall, First Morgan Investment, LLC, Realty Dealership Company and F.G. Realty Corp. (hereinafter "Defendants") hereby submit the following Status Report.

Since the Case Management Conference with the Court on September 12, Defendants have been continuously engaged in negotiations in an attempt to reach a settlement of this matter. Fortunately, Defendants are able to report that they have made significant progress toward settlement and the expectation at this point is that this matter will be resolved amicably. However, the parties are engaged in reducing their proposed agreement to writing and still need to address certain details, including, but not limited to, the resolution of Kroger's claim for attorneys fees. As matters now stand, the parties anticipate that they will be very close to if not done with their negotiations within the next thirty days.

Therefore, Defendants respectfully request that the Court continue its stay of discovery proceedings in this matter for another thirty days and require the parties to submit an additional Status Report on November 12, 2007.

Respectfully submitted,

/s/ Jeffrey S. Creamer

Jeffrey S. Creamer (0012539)

Nathan A. Hall (0077014)

Barton L. Wagenman (0000655)

SHUMAKER, LOOP & KENDRICK, LLP

1000 Jackson Street

Toledo, Ohio 43604

Telephone: (419) 241-9000

Facsimile: (419) 241-6894

E-mail: jcreamer@slk-law.com

bwagenman@slk-law.com

nhall@slk-law.com

Attorneys for Defendants, Louisville Title
Agency for N.W. Ohio, Inc., Gloria Levin,
and Alan Schall

/s/ Michael E. Fleiss

Michael E. Fleiss

Leboeuf, Lamb, Green & MacRae LLP

125 West 55th Street

New York, New York 10019

(212) 424-8000

(212) 649-1135 (facsimile)

mfleiss@llgm.com

Attorneys for First Morgan Investment LLC
Realty Dealership Company and F.G. Realty
Corp.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **Status Report** as filed electronically this 11th day of October, 2007. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Jeffrey S. Creamer

Jeffrey S. Creamer

Nathan A. Hall

Barton L. Wagenman

SHUMAKER, LOOP & KENDRICK, LLP

Attorneys for Defendants, Louisville Title
Agency for N.W. Ohio, Inc., Gloria Levin,
and Alan Schall